

**ENTERED**

June 20, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

SEAN HICKS,

Plaintiff,

V.

BRYAN COLLIER, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00126

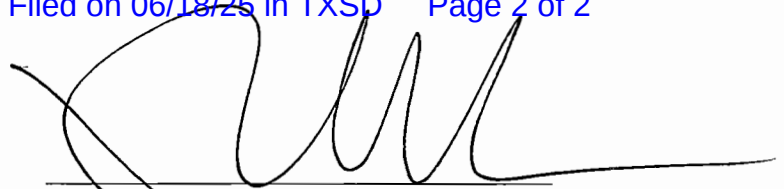
**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Before the Court is Magistrate Judge Mitchel Neurock's Memorandum and Recommendation ("M&R"). (D.E. 41). The M&R recommends that the Court deny Defendants Bryan Collier and E. Holmes's motion for judgment on the pleadings based on qualified immunity, (D.E. 38). *Id.* at 1.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 41). Accordingly, the Court **DENIES** Defendants' motion without prejudice to their raising a qualified immunity defense later in these proceedings. (D.E. 38).

SO ORDERED.

A handwritten signature in black ink, appearing to read 'DM', is written over a horizontal line.

DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas  
June 18, 2025